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 Request for Continued Examination (RCE) Transmittal Address to: BOX RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22314-1450	Application Number	09/528,844
	Filing Date	March 20, 2000
	First Named Inventor	David TOMPKINS
	Group Art Unit	2153
	Examiner Name	K. Parton
	Attorney Docket Number	026759-00003

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See instruction Sheet for RCEs (not to be submitted to the USPTO) page 2

1. Submission required under 37 CFR § 1.114 Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- iii. ☐ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/Declaration(s)
- iv. ☒ Other Petition for Extension of Time

2. Miscellaneous

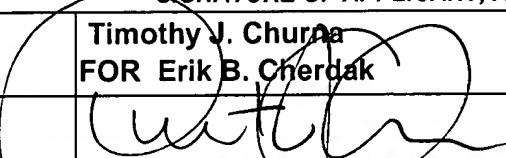
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of ___ month(s). (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge any fee deficiency, or credit any overpayments, to Deposit Account No. 01-2300.
- i. ☐ RCE fee required under 37 CFR 1.17(e) 09/21/2004 HVUONG1 00000053 09528844
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:1801 770.00 OP
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$1,720.00 (\$770 to cover the filing fee, \$950.00 to cover the extension fee) is enclosed.
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print Type)	Timothy J. Churna FOR Erik B. Cherdak	Registration No. (Attorney/Agent)	48,430 39,936
Signature		Date	September 20, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, P.O. BOX 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

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ARENT FOX, PLLC

1050 Connecticut Avenue, N.W., Suite 400
Washington, DC 20036-5339

Name (Print Type)		Date	
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)	
)	
David TOMPKINS)	Examiner K. PARTON
)	
Serial No. 09/528,844)	Group Art Unit 2153
)	
Filed: March 20, 2000)	
)	
For: SYSTEM AND METHOD FOR)	
FACILITATING DISTRIBUTED SERVER))	
ADMINISTRATION OF SERVER)	
SYSTEMS THAT ARE SCALABLE AND))	
VERSION INDEPENDENT)	

RESPONSE ACCOMPANYING REQUEST FOR CONTINUED EXAMINATION

Director for the U.S. PTO
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper filed in response to the outstanding Office Action March 26, 2004, and the Advisory Action mailed August 13, 2004, in the above-captioned patent application, the period of time for responding having been extended to September 26, 2004, by the enclosed Petition for Three-Month Extension of Time to Respond. In the prosecution of the above-captioned patent application, please consider the following:

Amendments to the Claims begin on page 2 of this paper.

Request for Reconsideration begins on page 6 of this paper.

Arguments/Remarks begin on page 7 of this paper.

Conclusion begins on page 11 of this paper.